

**PREPARED STATEMENT OF  
COMMISSIONER GREGORY B. JACZKO  
UNITED STATES NUCLEAR REGULATORY COMMISSION  
BEFORE THE  
SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS  
SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY**

**July 16, 2008**

Thank you for the opportunity to appear before you today to discuss the process for considering new reactor applications and the renewal of existing licenses for nuclear power plants. I agree with the Chairman that the safety and security of the operating reactors is the agency's priority, and therefore appreciate that the Committee chose to include re-licensing in this hearing.

These two topics are inextricably linked – decisions the agency makes about licensing today will impact how we do oversight tomorrow. Deciding whether to approve or disapprove an application is just the first step of a process that includes oversight of licensees to ensure compliance with safety requirements and taking necessary enforcement actions when violations occur. Longstanding problems such as implementation of fire protection regulations and emergency core cooling system sump screen issues at existing facilities must get resolved, both for the benefit of those existing plants and for the NRC to be able to exercise the most efficient oversight of any potential new plants.

I do believe that applicants have more work to do to improve the timeliness, quality, and completeness of new reactor applications if the NRC is going to be able to review them in an efficient and predictable manner. I also agree with the Chairman that the NRC is well prepared today to deal with the work of license reviews and, if applications are approved, regulating additional reactors. Thanks to the support of this Committee and the Congress, the NRC has been able to accomplish a tremendous amount of work to build up its own internal infrastructure and is well positioned for the task ahead.

While we have done a great deal to get ready, there are three remaining areas that require the agency's continued focus to ensure consistent oversight of any new reactors that may get built – updated regulations regarding security, aircraft crash, and waste confidence. I believe the staff has made progress on all three. The Commission directed the staff to accelerate the development of the final security rule and the Commission has just received the rule package for consideration and also made it publicly available. I intend to work quickly to vote on this issue and to do what I can to move it forward. As I mentioned at the hearing in February, the agency is still working on a final rule to require new nuclear power plants to be designed to withstand the impact of an aircraft crash. I remain hopeful that the final rule the staff provides to the Commission for approval this Fall will ensure the requirements apply to any new plant built in this country and that it includes clear criteria for how the NRC will determine compliance. Almost all of the entities that commented on the proposed rule supported both of those changes. Finally, the Commission has now received a proposal from the staff to proceed with a waste confidence rulemaking. I have registered my vote to proceed expeditiously.

Turning to the other topic of this hearing, the agency has a solid license renewal program in place, but I believe both the scope and the documentation of the process could be improved.

First, because the scope of this program is so narrowly focused on the aging of components, members of the public will likely always raise substantive concerns. I have proposed the NRC

include a review of emergency preparedness planning in re-licensing to reaffirm the safety finding initially made when the plant was licensed to operate. I believe that such a change would provide the NRC with the opportunity to potentially enhance safety, and certainly to strengthen public confidence in the license renewal program.

Second, I believe the agency should look back at a few completed license renewal 'safety evaluation reports' to ensure the documentation issues raised by the Inspector General are easily resolved. This effort, when coupled with more thorough documentation of future re-licensing proceedings, should effectively resolve what I believe is an important issue of public transparency.

Thank you for the opportunity to make remarks and I look forward to answering your questions.